

## BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747  
 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

Attorney Docket No. 147-199P

PLEASE NOTE:  
 YOU MUST  
 COMPLETE THE  
 FOLLOWING

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

A NOVEL METHOD OF IDENTIFYING BINDING SITE DOMAINS THAT RETAIN THE CAPACITY OF BINDING TO AN  
EPITOPE

Fill in Appropriate  
 Information -  
 For Use Without  
 Specification  
 Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on May 12, 2000

United States Application Number 09/554,465

and amended on \_\_\_\_\_

the specification was filed on \_\_\_\_\_

(if applicable) and/or

International Application Number \_\_\_\_\_

as PCT

amended under PCT Article 19 on \_\_\_\_\_

; and was  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

### Priority Claimed

Insert Priority  
 Information:  
 (If appropriate)

97120096.9  
 (Number)

Europe  
 (Country)

November 17, 1997  
 (Month/Day/Year Filed)

☒ ☐  
 Yes No

(Number)

(Country)

(Month/Day/Year Filed)

☐ ☐  
 Yes No

(Number)

(Country)

(Month/Day/Year Filed)

☐ ☐  
 Yes No

(Number)

(Country)

(Month/Day/Year Filed)

☐ ☐  
 Yes No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
 Application(s):  
 (If any)

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country

Application Number

Date of Filing (Month/Day/Year)

Insert Requested  
 Information:  
 (If appropriate)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
 Application(s):  
 (If any)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

Attorney Docket No. 147-199P

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Raymond C. Stewart  
Joseph A. Kolasch  
Bernard L. Sweeney  
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Joe McKinnis Muncy  
John W. Baffly  
Gary D. Yacura

(Reg. No. 21,066)  
(Reg. No. 22,463)  
(Reg. No. 24,448)  
(Reg. No. 29,271)  
(Reg. No. 30,330)  
(Reg. No. 32,868)  
(Reg. No. 32,334)  
(Reg. No. 32,881)  
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(Reg. No. 29,680)  
(Reg. No. 28,977)  
(Reg. No. 32,644)  
(Reg. No. 32,181)  
(Reg. No. 34,313)  
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or Customer No. 2292

PLEASE NOTE:  
YOU MUST  
COMPLETE  
THE  
FOLLOWING:

Full Name of First  
or Sole Inventor:  
Insert Name of  
Inventor  
Insert Date This  
Document is Signed

Insert Residence  
Insert Citizenship

Insert Post Office  
Address

Full Name of Second  
Inventor, if any:  
see above

Full Name of Third  
Inventor, if any:  
see above

Full Name of Fourth  
Inventor, if any:  
see above

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

GIVEN NAME/FAMILY NAME Peter KUFEI		INVENTOR'S SIGNATURE <i>Peter Kufei</i>	DATE* 03/27/2000
Residence (City, State & Country) Moosburg, GERMANY		CITIZENSHIP German	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Am Kapellenacker 13, 85358 Moosburg, GERMANY			
GIVEN NAME/FAMILY NAME Tobias RAUM		INVENTOR'S SIGNATURE <i>Tobias Raum</i>	DATE* 10/05/2000
Residence (City, State & Country) Munich, GERMANY		CITIZENSHIP German	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Zentnerstr. 20, 80798 Munich, GERMANY			
GIVEN NAME/FAMILY NAME Karin BORSCHERT		INVENTOR'S SIGNATURE <i>Karin Borschert</i>	DATE* 09/27/2000
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GIVEN NAME/FAMILY NAME Florian ZETTL		INVENTOR'S SIGNATURE <i>Florian Zettl</i>	DATE* 09/27/2000
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\*DATE OF SIGNATURE

Attorney Docket No. 147-199P.

Full Name of Fifth  
Inventor, if any:

0005 100

GIVEN NAME/FAMILY NAME Ralf LUTTERJOSE		INVENTOR'S SIGNATURE <i>R. Lutterjose</i>	DATE* 09/29/2000
Residence (City, State & Country) Munich, GERMANY DBX		CITIZENSHIP German	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Frauenhoferstr. 29, 80469 Munich, GERMANY			
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Residence (City, State & Country)		CITIZENSHIP	
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GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

Full Name of Sixth  
Inventor, if any:

see above

Full Name of Seventh  
Inventor, if any:

see above

Full Name of Eighth  
Inventor, if any:

see above

Full Name of Ninth  
Inventor, if any:

see above

Full Name of Tenth  
Inventor, if any:

see above

Full Name of Eleventh  
Inventor, if any:

see above

Full Name of Twelfth  
Inventor, if any:

see above

1/2

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**Docket No. 147-199P

Applicant, Patentee, or Identifier: Peter Kufer et al.

Application or Patent No.: 09/554,465

Filed or Issued: May 12, 2000

Title: A NOVEL METHOD OF IDENTIFYING BINDING SITE DOMAINS THAT RETAIN THE CAPACITY OF BINDING TO AN EPITOPE

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern, or organization exists.  
☒ Each such person, concern, or organization is listed below.

Connex  
Gesellschaft zur Optimierung von  
Forschung und Entwicklung mbH  
Am Klopferspitz 19  
82152 Martinsried  
Germany

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

  
Peter Kufer09/27/2000  
Date

2/2

Tobias Raum  
NAME OF INVENTOR

  
Signature of inventor

05/10/2000  
Date

Katrin Borchert  
NAME OF INVENTOR

  
Signature of inventor

09/27/2000  
Date

Florian Zettl  
NAME OF INVENTOR

  
Signature of inventor

09/27/2000  
Date

Ralf Lutterbüse  
NAME OF INVENTOR

  
Signature of inventor

09/29/2000  
Date

\_\_\_\_\_  
NAME OF INVENTOR

\_\_\_\_\_  
Signature of inventor

\_\_\_\_\_  
Date

\_\_\_\_\_  
NAME OF INVENTOR

\_\_\_\_\_  
Signature of inventor

\_\_\_\_\_  
Date

1/2

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

Docket Number 147-199P

Applicant, Patentee, or Identifier: Peter Kufer et al.

Application No.: 09/554,465

Application Filed: May 12, 2000

International Filing Date: November 16, 1998

Title: A NOVEL METHOD OF IDENTIFYING BINDING SITE DOMAINS THAT RETAIN THE  
CAPACITY OF BINDING TO AN EPITOPE

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION: Connex, Gesellschaft zur Optimierung von Forschung und Entwicklung  
mbH.  
ADDRESS OF NONPROFIT ORGANIZATION: Am Klopferspitz 19, 82152 Martinsried, Germany

TYPE OF NONPROFIT ORGANIZATION:

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED  
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- the specification filed herewith with title as listed above.
- ☒ the application identified above.
- the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.
- ☒ each such person, concern, or organization is listed below.

2/2

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

Docket Number 147-199P

Peter Kufer  
Am Kapellenacker 13  
85368 Moosburg  
Germany

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Christian ReiterTITLE IN ORGANIZATION OF PERSON SIGNING CEOADDRESS OF PERSON SIGNING: Patthausstr. 8, 85757 KarlsfeldGermanySIGNATURE Christian Reiter DATE 28. Sep 2000